



02-19-04

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DAC
PATENT
Box 10

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant(s): Thomas Happe
Serial No.: 10/077,699
Filed: 2/15/02
Title: Hydrogen Production
Docket No.: 01MEL1

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Examiner: Y. D. Pak
GAU: 1652

FEB 24 2004

Date: 2/17/04
Santa Barbara, CA

OFFICE OF PETITIONS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn.: BOX DAC

Sir:

1. Applicant petitions for the revival of the above-identified application and acceptance of the enclosed Petition Fee and Amendment A.

2. Nature of abandonment.

In an office communication from the USPTO dated 1/28/04, Applicant received a Notice of Abandonment. The reason set forth for the abandonment was the failure of Applicant to respond to an Office Action dated 6/12/03. Upon receipt of the aforesaid Office Action, the bring-up was improperly docketed for response on 8/12/04. The Notice of Abandonment was received by the undersigned on 2/3/04.

3. The entire delay in filing the required reply, from June 12, 2003 to the date of the present petition, was unintentional. Upon receipt of the Notice of Abandonment, Applicant immediately

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665.00 DP

located the Office Action and filed this petition together with the required petition Fee and a response to the outstanding Office Action.

4. Terminal disclaimer

Abandonment took place on 12/12/03, and since this petition is filed within six months of that date, no terminal disclaimer is required.

5. Status of applicant

This application is on behalf of Thomas Happe, the inventor and Applicant, a small business entity. A verified statement was filed concurrently with the Application and the status remains the same.

8. Fee payment

A check in the sum of \$665.00 is attached. The check should be credited as follows:
\$665 Petition Fee (Small Entity).

9. Conclusion

This Application should be held as Unintentionally Abandoned, the Notice of Abandonment withdrawn, and the enclosed Petition Fee and Amendment A accepted.

Respectfully submitted,



Michael G. Petit, Reg. No. 30,795
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Santa Barbara, CA 93190-1929
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Certificate of Mailing

I certify that this correspondence will be deposited with the U.S. Postal Service as Express Mail (mailing label No.EV 325246396 US) with proper postage affixed in an envelope addressed to: "Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: February 18, 2004

by: _____



Michael G. Petit

RECEIVED

FEB 24 2004

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